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GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA

No.F.11 (2)- Law/Lib/2018/9385-86 **Dated, Agartala the 25th September, 2019.**

Subject : Re-publication of Central Acts & Amendment Acts in the State Gazette.

1. The Public Premises (Eviction of Unauthorised Occupants) Amendment Act 2019 (Act No. 36 of 2019).

25/09/19

Rahul Roy
Under Secretary, Law
Government of Tripura.

THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT ACT, 2019

AN ACT

further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 2019.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

40 of 1971.

Amendment of section 2.

2. In the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (hereinafter referred to as the principal Act), in section 2, clause (*fa*) and clause (*fb*) shall be renumbered as clause (*fb*) and (*fc*) respectively, and before clause (*fb*) as so renumbered, the following clause shall be inserted, namely:—

'(*fa*) "residential accommodation occupation" in relation to any public premises means occupation by any person on grant of licence to him to occupy such premises on the basis of an order of allotment for a fixed tenure or for a period he holds office, in accordance with the rules and instructions issued in this regard, made under the authority of the Central Government, a State Government, a Union territory Administration or a statutory authority, as the case may be;'.

Insertion of new section 3B.

3. In the principal Act, after section 3A, the following section shall be inserted, namely:—

Eviction from residential accommodation.

"3B. (*1*) Notwithstanding anything contained in section 4 or section 5, if the estate officer has information that any person, who was granted residential accommodation occupation, is in unauthorised occupation of the said residential accommodation, he shall—

(*a*) forthwith issue notice in writing calling upon such person to show cause within a period of three working days why an order of eviction should not be made;

(*b*) cause the notice to be served by having it affixed on the outer door or some other conspicuous part of the said residential accommodation, and in such other manner as may be prescribed, whereupon the notice shall be deemed to have been served upon such person.

(*2*) The estate officer shall, after considering the cause, if any, shown by the person on whom the notice is served under sub-section (*1*) and after making such inquiry as it deems expedient in the circumstances of the case, for reasons to be recorded in writing, make an order of eviction of such person.

(*3*) If the person in unauthorised occupation refuses or fails to comply with the order of eviction referred to in sub-section (*2*), the estate officer may evict such person from the residential accommodation and take possession thereof and may, for that purpose, use such force as may be necessary.".

Amendment of section 7.

4. In section 7 of the principal Act, after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*3A*) If the person in unauthorised occupation of residential accommodation challenges the eviction order passed by the estate officer under sub-section (*2*) of section 3B in any court, he shall pay damages for every month for the residential accommodation held by him.".